### The New York Store

(ESTABLISHED 1853.)

## 125 Pieces Fancy Ginghams

That sell regularly at 122c a yard-on sale on the Center Bargain Table To-day at

4 3=4c a yard

Pettis Dry Goods Co

#### AMUSEMENTS.

"Old Glory" in 1492 Hissed. E. E. Rice's press agent announces that last week "1492" was sent to Canada, and on Monday night when the company opened in full in the daily papers, but the report in Montreal the chorus was hissed because | showed such a terrible state of affairs that the girls appear draped in the American | it was deemed best not to have it printed flag. Mr. Rice was in New Yorok when he gone out at once and bought several gross | port made by the secretary and sent to the of American flags, together with the finest "Old Glory" silk he could find. These he packed in his trunk and started for Montreal. Before starting Mr. Rice said he intended to decorate the theater with Ameridrive from the American station to his reporters of the papers. Mrs. Nichols said hotel in a cab festooned with the American colors. Rice's friends say he will carry out his threat if he has to cancel the entire Canadian tour of the "1492" company.

Another Alleged Mansfield Speech. ATLANTA, Ga., Jan. 10-Richard Mansfield, who appeared here last night in "A Parisian Romance," took occasion to make a speech which created a sensation. Mr. Mansfield said, after bowing five times: "I fuly appreciate your kindness in applauding me so much. While an actor is devoted to his art, he is, nevertheless, very appreciative of applause. It is evident that the people of Atlanta do not appreciate the artistic plays which I have taken so much care to produce. I have brought a very expensive company to Atlanta, but the total receipts from my three performances would not pay for raising the curtain in the first play. I understand that by friend, Henry Irving, will soon come here, and I presume that he will carry away a great deal of your money. After this remarkable speech Mr. Mans-

field smiled sarcastically and withdrew. Blg Opera Company to Go West. NEW YORK, Jan. 10 .- Al Hayman has made arrangements to-day to take the Abbey, Schoeffel & Grau Grand Opera Company to San Francisco, playing there at the Baldwin Theater for two weeks, commencing May 4. The company, which will include Melba, Calve, the De Reszkes and about 150 people, will go direct from New York to San Francisco.

Miss Minnie Palmer to Marry. BALTIMORE, Jan. 10.-Miss Minnie Palmer, who is playing an engagement at the Lyceum here, announced to-night that she will be married on May 15, in London, to the Duke D'Estrella of Navarre, whom she met at Trouville last summer. After the wedding she intends to retire from the

Notes of the Stage. Paderewski, who plays at English's totraverse the entire continent. His success is greater than that of Rubinstein, and, from present indications, this will be the most remarkable tour ever made by any planist in the world. Paderewski has never been heard here and the concert to-night

interest musically. The Tabers last night repeated their production of "King Henry IV" to an audience as large as that which witnessed Thursday right's performance. The company will appear this afternoon in "The Lady of Lyons" and to-night in "Twelfth Night." The matince promises to be of the record-breaking sort, the advance sale being very large.

at English's is, therefore, an event of rare

"Peck's Rad Boy" is coming Monday to lowed by the Howard Athenaeum Company, occupies the point at the intersection of a fine vaudeville organization. Hopkins's the street and avenue. No less than four Transoceanics close their big week with two | separate entrances were observed. Through performances to-day.

One of the most entertaining and novel two artists at the Empire this week. The engagement closes with two performances to-day. Next week Al Reeves and his varicty stars will be the bill.

The sale of season tickets for the season pany closed last night and the sale for avenue is a saloon run by the Wachstetter single performances will begin this morn ing promptly at 9 o'clock at the Pembroke. There is every indication that the demand will be unusually large, for it is apparent that there is great interest in Wagner music here, and the recognition of the fact that the Damrosch Company is the largest and best equipped organization that has ever visited Indianapolis. The operas to be given with elaborate stage accessories are Tannhauser," next Thursday night; "Die Walkure," Friday night, and "Die Meistersinger" Saturday night. There are about 190 people in the Damrosch Company, including his New York symphony orchestra of seventy-five pieces.

Saloon Keeper Huegele's Contention. John Huegele, proprietor of a Washingtonstreet saloon-restaurant, was fined \$10 and costs in Police Court yesterday afternoon for a violation of the Nicholson law. Huegele allowed a plea of guilty to be recorded against his name, as he announced that he proposed to appeal the case. The case is peculiar in its nature. Huegele has a saloon in the front part of his room. In the rear there are the dining tables. After 11 o'clock and on Sunday he let drop a curtain between the saloon and restaurant. The bar was closed to all appearances, and at no time has the proprietor been caught attempting to sell liquor. There was nothing in the curtain partition to prevent a person from pasing from one part of the room to the other, and from the street the appearances were that liquor was being sold behind the curtain. The police maintain that the curtain is not a partition in the spirit of the law. Mr. Huegele, who is represented by Henry Spaan, holds that the law does not specify what kind of a partition is necessary. The police hold that Mr. Huegele violated the law by having men in the room at illegal hours, while he contends the curtain separated the saloon from the

A Bad Gang and Brightwood. Henry Myer, a young collector, had occasion to go to Brightwood last Tuesday, and while walking about the streets of that suburb, Herman Passhl, a youth eighteen or nineteen years old, threw a snowball in which a large stone was encased, striking Meyer in the back. Passhl was fined \$16 yesterday by Justice Nickerson. In default of payment he was sent to jail. The

town marshal testified the boys were in the

restaurant.

nabit of assaulting passer with snowballs. They followed the plan of standing on por-tocos, where they knew their victims could not retaliate without breaking windows. He said the gang caused him considerable Took an Ounce of Carbolle Acid. Jessie Milburn, otherwise known as Grace Hildebrandt, attempted suicide last night. by Louise King, 235 Past Court street. The woman took an ounce of carbolic acid. Afterwards she went to her room, bade the

it was thought she would surely die before

other inmates good-bye, and told them what she had done. The dispensary physicians were summoned and worked with

the woman for several hours. At 2 o'clock

#### WINE ROOMS ARE MANY

IN FULL BLAST, DESPITE THE AS-SERTIONS OF THE POLICE.

A Tour of Them Last Night-Members of Women's Council Confer with the Mayor.

Wednesday's Journal gave a report of a meeting of the Local Council of Women, held Tuesday afternoon at the Propylaeum, where the wine-room evil was denounced. The Journal reported the points brought out; the fact that married and unmarried women visited the places, that the law was being ignored, that the trade was flourishing, and that the women of the council decided to visit the superintendent of police and implore him to help them eradicate the evil. Wednesday Superintendent Colbert addressed a letter to the president of the counell, criticising that body for giving its action to the public. An afternoon paper yesthe local council, wrote Superintendent Colbert a letter, saying the council took no action, and that the conversation of two members of the council had been taken to express the sentiment of the entire council. The report of the council's committee was read before and discussed by the whole council, and not by any two or three members. A member wished to have it printed in full. There was a discussion as to whether it was best to have a summary of the repapers, but this was decided against, and a prominent member of the council arose and said that she thought the best way for it yesterday that she had received quantities of letters giving the addresses of the places where there are wine rooms, and that the persons who sent the letters said that if be furnished. Mrs. Nichols, president of the Mrs. Eliza D. Zinn, of the committee making the report, went yesterday afternoon to Mayor Taggart's office to talk with him about the matter. Mrs. Nichols furthermore said that she could supply Mr. Colbert with the addresses, and that the council would sion of the wine rooms.

be willing to work with him in the suppres-Part of Superintendent Colbert's communi cation to the president of the Women's Council read as follows: "In defense of this department, I desire to say to you, Mrs. President, that every effort possible is being made, and such has been the case since turb. I took charge to check this evil, and I will say this, also, that we are as successful if not more so, than any previous police administration in Indianapolis. On this question, I challenge your organization, or any ndividual member, to show otherwise. "I take it for granted that you are hones in your efforts to crush this evil, and this department is in sympathy with your work. out I feel that before such reports are given to the public, through the press, you should investigate further than reports taken from columns of a newspaper, which, as is well known, is unfriendly (politicaly) to the present city administration After the correspondence was made public, the superintendent was asked if he really thought the members of that body had been misinformed. He replied: "The letter speaks for itself. Yes, certainly I

A CALL ON THE MAYOR. Yesterday when the committee called upon Mr. Taggart they said it was not their intention to assume that wine rooms had not existed heretofore, but they implored him to do everything possible to stamp out difficulties that stood in the way of eradicating them, alluding to the trouble in catching the saloon men, furnishing evidence, etc. To those who are interested in the subject it may be worth while to read the account which follows of what may be seen in this city any day or night, notwithstanding Mr. Colbert's assertion the council had relied upon untrustworthy and

Last night more than a dozen saloons

were visited by a Journal reporter, who found that every one contained wine rooms, so arranged as to afford a certain degree of privacy, and women were seen in several of them. In most cases the wine rooms were fashloned by partitioning off one end of the saloon, generally the rear, where they are accessible from side or back doors, in many cases through an alley, but a great many are directly reached from the street. There is a saloon at the southeast corner of Indiana avenue and New York street known as "The Lodge." This place a gate opening upon a porch on the north side of the building a door is reached bearing the legend, "Ladies' entrance." interior of the building is cut up into several small rooms and hallways. In one of the hallways a small table stood with two chairs placed beside it. In other rooms were chairs and tables. This place is much frequented by Fomen, and two were seen going in last night, women fashionably dressed and apparently the wives of respectable men. On the opposite side of the brothers, 56 Indiana avenue. At this place there were two rooms, one opening out on New York street. Two glass doors opening on New York street bear the word in big letters, "Saloon." A little sign tacked up at the pide of the building announces it to be the ladies' entrance. The wine room is separated from the front bar room by a pair of curtains. Last night a colored man and woman were served in this room. The room is supplied with a large table and several chairs. Still further out Indiana avenue, at the corner of Senate avenue, on the northwest corner, is another salooon with a wine room adjurct. The wine room is reached from Mississippi street. A large screen is so arranged as to afford protection from the gaze of the curious peering in through the glass doors. These cases cannot be reached by the section of the law biting partitions, but they come under the section requiring that all liquors shall be sold and drunk in the room specifically described in the application for license. One of these places is said to be visited by married women-women who are generally regarded as being loyal wives, but who in reality have acquired the drink habit and seek a life of gayety where plenty of con-genial male companions and drink in abun-

dance may be found. ON WEST WASHINGTON STREET. Some of the most revolting features of the wine room evil may be observed on West Washington street, within the neighborhood which, in the days of the old Zoo Theater, was known as "Hell's half acre." At the small rooms or stalls, with frosted glass partitions. One part of the rear room is devoted to a "chop house," where meals are served. Oyster stews are sold for 15 cents, while a "dozen raww" cost 10. But a great many of the frequenters of this place come for drink and not food. The "chop house" and wine rooms are reached either from the front room or by a side entrance opening off the railroad track. Last night a woman was seen standing in the entrance way leading from the side door with her arms about the neck of the waiter and her lips pressed to his. They saw they were being observed and beat a hasty retreat into one of the stalls. A moment later she came out, apparently somewhat under the influence of liquor. She recognized the man who saw her kissing the waiter, and said to him laughingly, "It wasn't fair for you to watch me. I don't care, though. I got a good kiss; see?" She hurried across Washington street, on down the railroad and disappeared. Across the the executive committee of the State Brewtracks from the Big Four saloon is another with a side entrance that gives access to a room containing tables and chairs. On the south side of Washington, across from the Big Four, is another saloon that has a large room in the rear filled with tables and chairs. There is an entrance to this place from the rallroad tracks. A block east, at the corner of Senate avenue, is a saloon' with a restaurant attached. At the south end of the building is a stairway leading to the upper floor. This is called the ladies' entrance. As at the Big Four saloon, food is served, but drinks can be had in the upper rooms. Last night a young woman was n this place. She ate an oyster stew and | the

three women sat about a table in the rear with a crowd of rough-looking men, all drinking beer. There was no partition in this place. Formerly these women and their companions would have been arrested under the circumstances.

AT OTHER PLACES.

Half a block west of this place, at the corner of the alley, is a saloon, with partitions in the end furthest from the street. They are provided with chairs and tables. A door opens into them from the alley. Two or three other places on West Washington were found with provisions made for the accommodation of women. On Kentucky avenue, opposite St. John's Academy, there is a saloon with a side entrance into a small room, separated from the main barroom. More chairs and tables. South of the tunnel on Illinois street are three or four places known to have wine-rooms run in visited last night. At the corner of Virginia avenue and South streets it is possible for women to get drinks at two or three places. A place formerly frequented by men and women is Crone's, corner Delaware and Wabash streets. Yesterday it was said Crone had been notified by the police this week he would no longer be allowed to serve drinks in the upstairs rooms, but was at liberty to run a restaurant, if he chose to do An employe of John Huegele, who has a had been notified no liquor could be terday said Mrs. Josephine R. Nichols, of served in the rooms above the saloon, as heretofore. At O'Brien's, corner East Washington and New Jersey streets, the wine-rooms in the rear of the "cafe" and restaurant have been dispensed with, but a waiter was seen coming from the rooms on East Washington street were visited, and the same general indications that the evil is flourishing were observed.

In the down-town districts four places are particularly notorious for the violations of the sections of the law that were especially aimed at and designed for the supof Henry Ostendorf, William Fron, Henry smith and Chapin & Gore. Smith, Tron and Ostendorf's places are on Illinois street, while Chapin & Gore's is on West Market, near the Monument place. Tron and Smith operate restaurants in connection with their saloons, and claim the rooms on the second floors are dining rooms exclusively. They resent having their places known as wine rooms, and claim they conduct legitito come before the public was through the report made of the meeting by the regular for the benefit of the theatrical profession. Chapin & Gore pretend to cater largely to actors, and have made arrangements

have cards advertising their business posted Numerous other cases might be mentioned, | ment. but it is unnecessary, as the description of one varies but little from that of all; genthe ones sent were not enough more could erally speaking, wineroms, whether called by that name or some other, are to be council, Mrs. J. S. Jenckes, secretary, and | many notable exceptions, and some saloon men refuse to allow this evil to exist in connection with their business. These places really exist and any man can convince him self of the truth of the statement by making a round of the saloons in any given neighborhood. Nine times out of ten it will be found that there is some place, behind partition in the rear end of the saloon, reached through dark alleys, or above stairs, up some innocent-looking staircase, where he and a female companion may indulge in liquid refreshment, safe in the knowledge no prying eye can observe them and no policeman will come to dis-

#### A HEAVY STOCKHOLDER.

W. J. Turner, of Philadelphia, Inspecting the Street-Car Lines.

W. J. Turner, one of the heavy stockholders in the Citizens' Street-railroad Company, is out from Philadelphia, looking over the plant. He put in the day yesterday riding over the line and wound up his excursion last night exceedingly well pleased with the property.

"I came cut here to see what the company has in the way of a street railroad," said Mr. Turner at the Bates last night. "I have considerable stock in the road and a number of my friends are interested in it. I have never seen the Indianapolis plant, and came here to look it over. My chief purpose in coming was to satisfy myself as been floating about lately concerning the road. I have satisfied myself thoroughly, and I can say that there is nothing in these umors of sale and transfer. The Citizens' street railroad is not to be sold-at least not to my knowledge. It is not likely that negotiations of this character could be pending without the knowledge of the stock-

Mr. Turner is a Philadelphia lawyer and is president of the Lehigh & New England railway. He knows something about railroads and their revenues, and he says he does not believe the people of Indianapolis have any room to growl about their present

street-car facilities. "I don't think the people of this city apreclate their street-car company as they should," he continued. "I have been all over the line to-day and was astonished to learn that people can ride from one end of the city to the other for 5 cents. It's absurd to talk about reducing fares as I look at it. The road is not making any money now for its owners. I have never received a penny on the stock I hold and there are other stockholders who have had the same experience. The very best the road is doing now is to pay the interest on its bonded indebtedness. Citizens' street-railroad stock is cheap and I don't see why people who think it is making money don't buy the stock. There is plenty of it for sale at \$27 a share. The stock has been fluctuating considerably of late, but as far as I know there is no 'watered' stock. It would be impossible for the road to run on a less fare than is being enarged at this time." Mr. Turner denied that he was here to find out about the company's franchise. He says the question of franchise is not troubling the managers, because they believe their rights are perpetual!

he is right. I am a lawyer myself and have given this question a good deal of hard study. I am confident that the Supreme Court of the United States will sustain the opinion of Judge Woods."

### A PATRIOTIC LECTURE SERIES.

Opening of the University Extension's New Course.

The opening lecture in the course of the university extension series was given last evening at the parish house of St. Paul's Church. Dr. Shepardson, of the Chicago University, is conducting the lectures, which are upon American history. The subject for last evening was "George Washington and the Making of America." The lecture room of the new memorial hall was comfortably filled, and the attention of the audience was held for an hour, while Dr. Shepardson spoke entertainingly and instructively of the work of the Father of Our Country. Dr. Shepardson spoke of Washington biographically, and then referred to his great work. The tempestuous condition of affairs at the time the new States were breaking away from their mother country was re-Above all was observed the guiding hand of Washington, who not only planned military battles, but directed the formation of the government after the victories had Washington, as a statesman, occupied a prominent place in Dr. Shepardson's consideration. The fact that the new country became a republic instead of a monarchy, and the fact that the new States were united and bound together, are largely due to the influence of Washington. The olley of the infant government was outined by him and he seemed to see better than others what was in store. The lecture by Dr. Shepardson was rich in historical information, which furnished information from which came his conclusions. The pa-triotic talks will continue, all dealing with the history of the Nation, and much of it will be political history.

#### HARMONY IN THE LIQUOR CAMP. State League and Brewers' Associa-

tion Will Co-Operate.

The Indiana Liquor League at its meeting last week appointed a committee to call on ers' Association, with a view to formulating plans for co-operation. The action was the Brewers' Association at its last meeting. committee, composed of Philip Zapf, Callen, Henry Guenert, William Weiss and Casper Hess, visited Albert Lieber yesterday and discussed their views. The plan of co-operation was indersed by Mr. Lieber, who will present it to the executive committee of the brewers. A member of the Liquor League said yesterday that here-after both organizations would work in unison. It had been reported, he said, that Liquor League had arrayed itself told the waiter she was waiting for a "gen- against the Brewers' Association because tleman friend," but after waiting a long the brewers sell to the barrel-house keeptime he failed to come and she went away. ers. The member denied that there had Tile Floors, special designs. Jno. M. Lilly. on the north side of Washington, at Sen- ben a disagreement between the organiza-

THE CRAWFORD COUNTY-SEAT WAR IS FINALLY AT AN END.

Supreme Court Holds the Act Chang ing the Seat from Leavenworth Is Not Unconstitutional.

The town of English has at last won its controversy over the location of the county seat of Crawford county. The fight has been on for ten or twelve years. The old county seat, Leavenworth, has fought the fight of connection with them, but they were not deperation in its attempt to retain the scat of county government, which is practically all that made it a town. English has a railroad and is a thriving business town. The effort to move the county seat was first made a number of years ago, but every effort was fought by the Leavenworth property owners. The Legislature of 1889 passed an act, special in its nature, giving saloon on East Washington street, said the people of English an opportunity to move the seat. The County Commissioners were for the removal and so decided. The case then went to the Circuit Court on appeal, and a change of venue was taken. The Circuit Court decided in favor of English, he second floor. Several other places on and an appeal was taken to the Supreme Court. It was contended by the Leavenworth adherents that the act of the Legislature was unconstitutional, because it was special. This was the only question before the court. Judge McCabe, who wrote the pression of the wine rooms. They are those opinion, holds that, although the act is local, it is of such a class of local laws as cannot, on account of the subject matter, be made general, and are, therefore, not urconstitutional. The court says:

"Though the act of 1839 be local and special, as we think it is, ye, being on a subject not embraced in Section 2, Article 4, of the Constitution, the determination of the Legislature by enacting the law, that one of general and uniform operation throughout the State could not be made applicable, is final and conclusive upon the courts.' The town of English has already built a new courthouse and made full preparations for the removal of the seat of govern-

PIPE IN PUBLIC HIGHWAYS.

as Companies Must Pay Property Owners Reasonable Sums.

A petition for a rehearing in the case of the Consumers' Gas Trust Company against George Huntsinger et al. was denied yesterday by the Appellate Court. The case was decided last January. Huntsinger and others tore up a pipe line laid in Madison county by the Trust company because the company had not secured the right to lay it along the public highway in front of the appeliee's property. The company sued for damages and for the value of the pipe destroyed. The court below decided that as the fee simple of the roadway, subject to the easement of the public as a passageway, is in the owners of the adjoining property the pipe could not be laid without regular condemnation proceedings and payment of reasonable damages. This opinion was sustained by the higher court.

FOWLER WILL CASE AFFIRMED. The Heirs Receive the Realty in Fow-

ler in Fee Simple. The Fowler will case, from White county, was affirmed by the Supreme Court yesterday. Moses Fowler died in 1884, leaving a large estate valued at nearly a million dollars. Included in the estate were about a thousand lots in the town of Fowler. It was on account of the peculiar provisions for the handling of these lots that the suit arose. It was provided that as these lots were a good investment they should remain untouched by the heirs and devisees or a period of twenty-five years. There being so many of the lots, and many of them in the business section of the city, it was contended that it would be against public policy to allow them to remain tied up for so long. The court below held that the heirs received the property in fee simple, and this was affirmed by the Supreme

#### THE CRIMINAL COURT ERRED.

The Case of Atta Naanes Reversed by the Supreme Court.

The case of Atta Naanes, who was convicted in the Marion Criminal Court of stealing jewelry from her employers, was reversed by the Supreme Court yesterday. She was convicted over her plea of not guilty and her special plea of insanity. The court holds that the finding of a sanity commission is not competent evidence in a court and that the court erred in not excluding it.

Sent Her to a Watering Place. Frederick Rasemann, a saloon keeper at No. 67 Russell avenue, brought suit for divorce yesterday from Catharine Rasemann, to whom he was married in 1871. He says the defendant has never loved him, and, although he has done everything to make her home life pleasant, he could not please her. Ten different seasons he sent her to watering places, he says, in the hope of regaining her affection. He says there hasn't been a week in the last ten years that she has not cursed him and many times wished him dead, and declared she would like to poison him. The defendant, he alleges, spends time and money visiting a fortune "Judge Woods, one of the ablest jurists in teller, and persists in going to an angle the country, has decided that we have a physician who advertises his business by flaming posters." Mr. Rasemann is charged flaming posters." Mr. Rasemann is charged with visiting her husband's place of business, insulting his customers and with whipping her children.

> A Chattel Mortgage Suit. Judge Bartholomew yesterday appointed James M. Manker receiver of the household furniture of Lizzie Flannery at No. 220 East Court street. The receivership was created on the application of Cora Swartz, who brought suit on a note for \$250, secured by a chattel mortgage on the household goods of the defendant. The plaintiff averred that part of the furniture had been moved, and showed that L. L.

> Howard & Co., of Montpeller, are about to lay claim to the remainder. lar time for the meetings of the grand jury, trict attorney a grand jury is summoned. The next will be some time in February, but

> exact date is unknown. Sues the Photographer for Salary. The suit of Edward A. Kepler against Theodore Marceau, the photographer, for salary is being tried in the Superior Court. Kepler was employed as operator in the gallery of the defendant. The defense is that Kepler did not put in full time and did a great deal of "loafing" during busi-

the call has not yet been issued and the

A New York Postoffice Robbery. Daniel Sheedy was brought to the city yesterday by a deputy United States marshal. He was arrested at Montpelier and is charged with robbing a postoffice in the northern district of New York.

A Company Blacklisted. The Farmers' Anglo-American Fire Insurance Company, of Washington, D. C., was blacklisted by the Auditor of State yesterday for failure to comply with the State insurance laws.

#### THE COURT RECORD.

Supreme Court. 17460. Shaffer vs. Stevens. Henry C. C.

Reversed. Howard, J.-A life tenant may make a valid gift of his crops planted before his death, but which do not mature until after his death. Naanes vs. the State. Crim. C. Reversed, Jordan, J.-1. An intime in this court upon the ground of duplicity. 2. An argument in support of a motion for a new trial, which has been stricken from the files, to be used on appeal must be incorporated in the record by bill of exceptions. 3. It is error in a criminal trial to allow the State to introduce in evidence the proceedings of an examination by a commission as to the sanity of the defendant, held a few days before the

16713. Fowler vs. Fowler. White Affirmed. Hackney, C. J.-1. A testator's intention must be the guide in the construction of a will. 2. Where real estate is detion of a will. 2. Where real estate is devised in terms denoting an intention that the primary devisee shall take a fee on the leath of the testator, coupled with a devise of the testator. vised in terms denoting an intention that the primary devisee shall take a fee on the

words refer to a death without issue during the lifetime of the testator, and the primary devisee surviving the testator takes an absolute estate in fee simple. 3. A clause in a will which devises the right of alienation by the heirs for a period of twenty-five

17630. Mode vs. Beasley. Washington C. C. Affirmed. McCabe, J.—The act of March 9, 1889, R. S. 1894, Sections 5579, 5588, is not unconstitutional. 2. No one has a vested right in the continuance of a county seat at a particular place, and in the absence of constitutional restrictions the Legislature has the power of removing it. 17213. Tindall vs. Miller. Fayette C. C. Petition for rehearing overruled Appellate Court.

1619. Kearns vs. Burling. Benton C. C. Reversed. Lotz, J .- Only where the evidence upon the material questions is un-disputed and only one legitimate inference can be drawn therefrom can the court instruct the jury to return a verdict in favor of the person whose evidence is unim-

1837. Cooper vs. Forgey. Howard C. C. Affirmed. Davis, J.-When there is simply

a conflict in the evidence this court will not

reverse the finding of the jury.

1842. Bratton vs. Ralph. Vermillion C. C.

Affirmed. Gavin, C. J.—The right to take
a mechanic's lien upon real estate for work and labor done and material furnished is not lost by the destruction of the building by fire after the completion of the work and before the filing of notice.

1717. Holman vs. Stannard. Clark C. C.
Appeal dismissed. Reinhard, J.—Where the appellants have received the whole or part of the judgment from which they appeal, the appeal will be dismissed. 1008. Gas Trust Comany vs. Huntsinger. Hancock C. C. Petition for rehearing over-ruled. Ross, J.-1. The appellant is required to affirmatively show some ruling or error prejudicial to his rights. 2. A gas company has not the right as against the owners of the fee without their consent and over their protest, to construct a gas pipe-line on and along a highway. Huntington C. C. Affirmed. Ross, J.—Those who attempt to cross a railroad track are bound to know that it is a place of danger and must look and listen and be assured that no train is approaching before going upon the track.
1592. E. & T. H. Railway Company vs.
Cates. Sullivan C. C. Petition for rehearing overruled.

1674. Life Insurance Company vs. Stewart.
Elkhart C. C. Petition for rehearing over-

1810. Terry vs. L., N. A. & C. Railway Company. Monroe C. C. Petition for leave to file cross errors granted. 1787. Building Association vs. Olcott. Marion S. C. Transferred to Supreme Court. 1617. Cicero Township vs. Falconberg. Howard C. C. Appellant petitions for re-

Superior Court.

Room 1-Jno. L. McMaster, Judge. Duncan DeWar vs. Allen W. Adams et al. Finding and judgment for plaintiffs. Laura E. McKay vs. William C. Partee; Sears, J. P. Dismissed and costs paid. John W. Blackledge vs. Lewis-Porter Cabinet Company; damages. On trial by jury. Room 2-Lawson M. Harvey, Judge.

Robert Pemberton vs. Vincenzo Roja et al.; mechanic's lien. Dismissed. Judgment against plaintiff for costs, Derk DeRuiter vs. Wallace P. Miles sewer lien. Dismissed and costs paid. Edgar A. Kepler vs. Theodore C. Marceau; contract. On trial by jury Norman S. Byram vs. Benjamin F. Mor-gan et al.; notes. Judgment against defendants for \$265.76 and costs. Room 3-Pliny W. Bartholomew, Judge.

Circuit Court. Edgar A. Brown, Judge. Sullivan M. Hilligoss, recorder, vs. Will-

Lulu May Horton vs. Citizens' Street-

raffroad Company; damages. On trial by

iam A. Rhodes; on stock subscription. On trial by court. New Suits Filed. Eliza Jane Wilson vs. Sarah Ann Gulliver et al.; suit for partition. Superior Court, Indiana Bond Company vs. Susan K Blackledge; improvement bond. Circuit Cora Schwartz vs. Lizzie Flannery; sui on note. Superior Court, Room 3. Samuel N. Watson vs. Detective Publishing Company et al.; suit on note. Superior

Frederick Rasemann vs. Catherine Rasemann; suit for divorce. Superior Court, Sarah Crosley vs. David T. Cooper; suit Superior Court, Room 1. John H. Smith vs. Eliza J. Frances et al. sewer lien. Circuit Court. George W. Selbert vs. Jennie E. Reynolds et al.; improvement bond. Superior Court, Room 3.

#### PERSONAL AND SOCIETY.

Mrs. Hervey Bates is visiting in Washing-Mrs. C. J. Fletcher is confined to he home with a serious illness. Mr. John A. McCormack, of Chicago, is spending a few days in the city. The Vivian Card Club was entertained Thursday by the Misses Bedel at their home, No. 90 West First street.

The Misses Lizzie and Blanche Berry, of Brookville, Ind., are visiting Mrs. Jessie B. Carroll, of Woodruff Place. Mrs. J. A. Milburn had a few friends at her home informally yesterday morning to meet Mrs. Charles Ferguson and hear her

talk on mission work. Mr. and Mrs. Robert Springsteen enterained a number of friends at cards last evening in honor of Mrs. Springsteen's sister, Mrs. Wiliam Whitney, of Evansville. Mrs. Arthur B. Grover will have a reunion of the Cooking Club Wednesday afternoon for Mrs. M. Steele Bright, of Superior, Wis., who was one of the former mem-

Miss Cora Palmer, who has been visiting friends and relatives in Chicago, has returned to her home, No. 401 North Pennsylvania street, and reopened her studio in china decorative art. Mr. and Mrs. Addison C. Harris enter-

R. Herod, who Japan for a few weeks. Mr. and Mrs. M. S. Huey and daughter Laura will leave Wednesday for New Orleans, where they will spend a short time and then they will go to St. Augustine, Fia., for the remainder of the winter. The Over-the-Teacups Club met yesterday

and had two papers. "Club Ethics" were discussed by Mrs. Alexander and "Something for Nothing" was the pertinent subject written about by Mrs. Dwyer. Mrs. Howard A. Dill and daughter, of Richmond, who have been spending the holidays with Judge and Mrs. L. C. Walker, will return home to-day, accompanied by Miss Helen Rockwood, who will make them

a visit. Miss Helen Colclazer, of Minneapolis, A subscriber asks when the United States grand jury will convene. There is no regu-There are no invitations,

The next play of the Dramatic Club will be given Jan. 31. The committee is Mr. and Mrs. S. Herbert Collins and Mr. and Mrs. Augustus Coburn. The play will be "The Three Hats," a comedy, which is unlike anything yet given before the Dramatic

and her sister, Miss Grace Lintner, will go to Cincinnati Friday, where they will visit Miss Clara Bartlett and Mrs. Lunkenheimer. The latter will give a reception in their honor the following afternoon. Mrs. Harry E. Drew received her friends informally yesterday afternoon for her mother, Mrs. M. A. Dumont, her sisters, Mrs. Whitney, of Evansville, and Mrs. M. D. Watson, and daughter, of Chicago. She was assisted by her sisters, Mrs. David Braden, Mrs. J. W. Williams and Mrs.

Mrs. Perley B. Raymond, of Woodruff Place, gave a handsome luncheon Thursday for Mrs. Potter and Mrs. O'Kane, of Evanston, Ill., who are visiting Mrs. Russel Seeds. The table decoration was of pink and blue in color, with embroideries of the latter and pink carnations for the flowers. The guests, aside from those for whom it was given, were Mrs. James M. Leathers, Mrs. M. Steele Bright, of Superior Wis.; Mrs. Seeds, Mrs. Rogers, Mrs. A. B. Grover, Mrs. Charles Robinson, Mrs. J. R. Hussey, Mrs. Charles Layman, Mrs. William For-tune, Mrs. Horace Coldwell and Mrs. W. W.

Two large receptions were given yesterday

at the Propylaeum by Mr. and Mrs. Arthur

Jordan to introduce their daughter, Miss

Esther Jordan. In the afternoon, from 3 to 5 o'clock, Mrs. Jordan received in the west parlor. There were about 350 invita-tions issued for the afternoon and there were but few regrets, so that the rooms were filled with guests. Receiving with Mrs. and Miss Jordan were their visitors. Miss Nora Michener, of Washington, D. C. Miss Sidonia Bauermeister and Miss Zatella Alvey, of Terre Haute. Mrs. Jordan work a reception gown of green broadcloth and silk and Miss Jordan wore a gown of white organdle over white silk and carried a bouquet of violets and one of lilies of the valley. The west parlor was arranged with rugs, divans and tables, and was lighted with candles and banquet lamps with gay-colored shades. The white draperies at the windows



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Dyer, Mrs. Alfred F. Potts, Mrs. Charles B. Ford, Mrs. Milton Woolen, Mrs. P. B. Raymond and Mrs. R. O. Hawkins. The Miss Laura young ladies assisting were Huey, Miss Amy Jacobs, Miss Lois Dyer, Miss Ora Woolen, Miss Gertrude Henry, Miss Helen Seaton, Miss Estelle Selig, Miss Grace Lintner, Miss Daisy, Clark, Miss Florence Baxter and Miss Mera Tousev. In the east parlor there were two tables. One at the foot of the room was bright with scarlet decorations. A blooming azalea occupied the center of the table. There were scarlet candles and confections and coffee and chocolate were served. At the opposite end of the room was the ice table, which was beautified with Bermuda lilies in cut glass vases. In the center was a mirror framed in ferns. The coloring for all the appointments was green and white. The whole arrangement was as elaborate as for any entertainment ever given at the Propylacum. In the evening the guests were invited for 8 o'clock. For this there were five hundred invitations. Mr. and Mrs. Jordan and Miss Jordan received and there were

no assistants. An orchestra furnished music and dancing was a feature. Part of the dances were ladies' choice, on account of leap year. For the evening Mrs. Jordan wore a gown of pink and green brocade trimmed with chiffon, embroidered with gold and silver and jeweled passementeries. Miss Jordan's gown for the evening was green silk and chiffon trimmed with Illies of the valley. The same kind of flowers formed her bouquet. The entire wall was festoone with holly and the fron girders overhead were hidden with smilax garlands. The platform was concealed by rows of palms and foliage plants and it was furnished with cozy seats for the guests. Late in the evening the ball was given over to the young

people, who danced, THIRTIETH ANNIVERSARY. Special to the Indianapolis Journal. SHELBYVILLE, Ind., Jan. 10 .- To-night took place the thirtieth wedding anniversary tained a small company of friends at din- of Mr. and Mrs. John Messick, at their

ner last evening in honor of Mr. and Mrs. home, on West Washington street. The event was celebrated by a reception. Mr. Messick is president of the First National Bank, and they have a multitude of friends in this and surrounding counties,

HE WILL NOT RESIGN.

How a Report About Rev. Dr. Rondthaler's Leaving Came About.

The members of the Tabernacle Church were uneasy all of yesterday. The cause of this uneasiness became known to others, and Rev. J. A. Rondthaler, pastor of the church, was much considered. It was generally understood that Dr. Rondthaler had announced to his congregation that he was going to resign. People said it was a shame that so popular a man as Dr. Rondthaler and one who has done so much for the Tabernacle Church and for the city, should leave. The report was all due to a series of circumstances which culminated Thursday night at the prayer meeting of the Tabernacle Church. At that meeting Dr. Rondthaler, in a moment of discouragement, Mr. Frank Van Camp went East last night said, "Perhaps the time is coming when to spend a short time. Mrs. Van Camp you will need a new voice." This sentence passed from mouth to mouth, was debated and discussed, reaching the ears of some people outside of the church in the form. "I propose to resign, and nothing can change my purpose."
The incidents which led to the remark by Dr. Rondthaler are such as confront all

pastors at times. The Rescue Home, on South street, has been in danger of distress. Now, all ministers and those identified with church work recognize the value of such a home, and know of the good it has accom-plished. Mr. M. V. Wheeler, leader of the

home, has recently been informed by the

Mrs. Frank Van Camp, Mrs. Lynn B. Milli- firm by which he is employed that he must elther quit preaching or quit work, for it is claimed that his connection with the home interfered with his work. The work does consume a great deal of his time, and Mr. Rondthaler with others were very much interested in raising a sum which would recompense Mr. Wheeler for his entire time at the home. Dr. Rondthaler has spoken to his congregation several times concerning the condition of the charitable institution. and he touched upon the subject again Thursday hight. The response was indifferent. Mr. Rondthaler felt that his congregation was not as enthusiastic in the work as he, so, on the thought of the moment, he referred to the possibility of a

new voice. Those who heard the remark considered it as an indication of what might be expected, The friends of Dr. Rondthaler "held their breath" yesterday, expecting to hear that he had carried out his threat. General regret was expressed on all sides. Dr. Rondthaier, however, says he has not thought of resigning at this time. He spoke discouragingly, but did not intend to inti-

mate that his resignation would be forthcoming. He did not contemplate leaving the Tabernacle Church, and his resignation should have been presented to the officers of the church before publicity was given The relations between Dr. Rondthaler and his congregation have been happy, which caused the report of his resignation to create the more surprise.

#### CITY NEWS NOTES.

The Moravians will open their new chapel, at Seventeenth street and College avenue, Sunday afternoon at 2 o'clock. Rev. W. H. Vogle is the pastor. The Woman's Business and Social Union

of Roberts Park Church will meet at o'clock this afternoon in the Roberts Park Church lecture room Dr. Joseph Littell will give the last of a series of lectures on the Sermon on the Mount at the Young Men's Christian Association next Sunday afternoon.

The Primary Teachers' Union will meet at 4 o'clock this afternoon in the lecture room of the First Presbyterian Church, Revivalist Ostrom will speak. Rev. W. J. Gladish, of the New Church, will address the Progress Club Sunday afternoon, in Iron Hall. Subject: "Does the World Owe Every Man a Living?"

There will be an exhibit of curiosities at No. 285 College avenue, for the benefit of the Junior League of Central-avenue Church, from 2 to 5, Saturday afternoon. The Industrial School will not hold its regular meeting at Tomlinson Hall to-day, on account of the room being occupied by the pet stock show, but will meet there next Saturday.

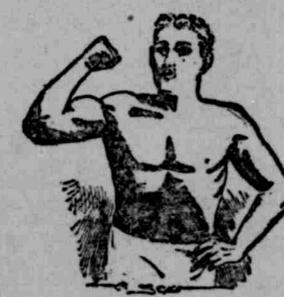
By the accidental discharge of a shotgun a few days ago the bright little twelve-year-old son of J. B. Allfree, accidentally shot himself in the shoulder. The wound is

The two quarreling vaudeville teams playing at the Empire this week were in Police Court vesterday morning. A. J. Seymour and Richard Farnham were fined 5 each and the other two were released. Rev. E. M. B. Botterill, the new pastor of

the Lincoln Park Church, will lead the gospel service of the Young Women's Christian Association at 4 o'clock Sunday afternoon. His subject will be "Woman's Ministry," The Safe Was Wide Open. Florea & Seidensticker's law office, in the

German Telegraph building, was burgtarized yesterday at noon while members of that firm were at dinner. It seems the office door was left unlocked and the safe door was standing wide open. The burglars ran-sacked the safe and secured about \$13 in money from an inner till and severa; valuable notes and mortgages.

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